

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY

	x	
	:	
UNITED STATES OF AMERICA,	:	Criminal Action
v.	:	No. 5:19-cr-00247
NATALIE P. COCHRAN	:	
and	:	
UNITED STATES OF AMERICA	:	Civil Action
v.	:	No. 5:19-cv-00537
REAL PROPERTY SITUATED AT	:	
433 4-H LAKE DRIVE, DANIELS,	:	Date: February 11, 2022
RALEIGH COUNTY, WEST VIRGINIA	:	
together with all	:	
improvements, fixtures, and	:	
appurtenances thereon, and	:	
all leases, rents, and	:	
profits derived therefrom;	:	
	:	
REAL PROPERTY SITUATED AT	:	
219 N. EISENHOWER DRIVE,	:	
BECKLEY, RALEIGH COUNTY, WEST	:	
VIRGINIA,	:	
together with all	:	
improvements, fixtures, and	:	
appurtenances thereon, and all:	:	
leases, rents, and profits	:	
derived therefrom	:	
and	:	
REAL PROPERTY SITUATED AT 210	:	
PARKWOOD DRIVE, BECKLEY,	:	
RALEIGH COUNTY, WEST VIRGINIA	:	
together with all	:	
improvements, fixtures, and	:	
appurtenances thereon, and all:	:	
leases, rents, and profits	:	
derived therefrom	:	
	x	

TRANSCRIPT OF STATUS CONFERENCE HELD
BEFORE THE HONORABLE FRANK W. VOLK, JUDGE
UNITED STATES DISTRICT COURT
IN BECKLEY, WEST VIRGINIA

APPEARANCES:

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Larry Jessup (Pro se)

Court Reporter: Ayme Cochran, RMR, CRR

Proceedings recorded by mechanical stenography;
transcript produced by computer.

1 PROCEEDINGS had before The Honorable Frank W. Volk,
2 Judge, United States District Court, Southern District of
3 West Virginia, in Beckley, West Virginia, on February 11,
4 2022, at 12:31 p.m., as follows:

5 THE COURT: We are here this afternoon in the
6 Natalie Cochran related cases where the government and
7 others are seeking approval of certain actions.

8 I will ask counsel to please note your appearances for
9 the record.

10 MS. ROBESON: Kathleen Robeson on behalf of the
11 United States, and with me at counsel table is Jessica
12 Nathan, who is also here on behalf of the United States.

13 MR. BLICKENSTAFF: Brian Blickenstaff for Robert
14 L. Johns, Chapter 7 Trustee.

15 MR. ROSENCRANCE: Zach Rosencrance for First
16 Community Bank.

17 MR. JESSUP: Larry Jessup, father of Natalie
18 Cochran.

19 THE COURT: Understood.

20 Mr. Jessup, are you here representing your own
21 interest?

22 MR. JESSUP: Yes, sir.

23 THE COURT: You are not permitted to represent the
24 interest of others. As long as you represent just your own
25 interest, then that will work out just fine.

1 Well, I take it that all are familiar with the matters
2 that have come heretofore.

3 I'm going to ask you, Ms. Robeson, to just give me a
4 thumbnail sketch of what the government is seeking and just
5 in general a summary of the actions that pend.

6 MS. ROBESON: Yes, Your Honor. Your Honor, before
7 I start, may I remove my mask, or would you like me to keep
8 it on?

9 THE COURT: Yes, you may do so.

10 MS. ROBESON: Thank you, Your Honor.

11 The most important action that the United States is
12 seeking is approval for the joint motion for the
13 interlocutory sale, but to give the Court a brief background
14 first, we have a forfeiture action pending in the criminal
15 case against Ms. Cochran and there is also a separate civil
16 forfeiture case filed.

17 All parties agree that whenever the criminal forfeiture
18 is resolved that will necessitate the removal of the civil
19 action. There will be no need for any further rulings in
20 the civil action. Ms. Cochran's interest in all the
21 property has been foregone by her guilty plea. She no
22 longer has an interest in any of these assets. The parties
23 left are the United States, First Community Bank, the
24 Chapter 7 Trustee, and Mr. Jessup, all who are here today.

25 The first thing that we would like, as I mentioned

1 earlier, would be the joint motion for the interlocutory
2 sale of the property. And then, as our Joint Status Report
3 indicated, the next action items would be approval for the
4 coordination agreement for the rest of the assets between
5 the United States and the Chapter 7 Trustee which was filed
6 earlier this week.

7 And then, also, I believe earlier in this case First
8 Community filed a claim seeking an interest in both the 4-H
9 property, as well as the bank account. This Court dismissed
10 the claim as Ms. Cochran's case was on appeal at the time,
11 but indicated that First Community could re-file the claim
12 so to allow them leave to re-file, if necessary, and then
13 allowed that litigation to proceed and also to rule on Mr.
14 Jessup's claim, which has been filed against the Shelby
15 Cobra and the bank account, as well. The United States has
16 filed a motion to dismiss Mr. Jessup's claim.

17 THE COURT: What is the basis for seeking to
18 dismiss Mr. Jessup's claim and what was it as to the
19 vehicle?

20 MS. ROBESON: Yes, Your Honor. And Mr. Jessup
21 certainly can correct me if I'm wrong, but the way I read
22 the claim was it was to one vehicle, the Shelby Cobra, as
23 well as the contents and the bank account. And our basis
24 was based on the claim that we thought he presented the
25 interest of a general unsecured creditor. And under the

1 Fourth Circuit precedent general unsecured creditors do not
2 have standing in forfeiture matters.

3 THE COURT: Understood.

4 There is one matter you raised quickly that I wanted to
5 ask you about. Would you anticipate that the bank will
6 renew its claim?

7 MS. ROBESON: I believe that the bank's counsel is
8 here and probably in a better position to answer that
9 question than I am.

10 THE COURT: Thank you.

11 Mr. Rosencrance?

12 MR. ROSENCRANCE: Your Honor, as a matter of form
13 we would probably, yes, file a verified claim in the
14 criminal action. We originally filed a claim in the civil
15 action. So, just to protect the bank's interest, we would
16 file it in the criminal action and as it relates to the
17 property, yes.

18 As it relates to the seized funds the amount claimed by
19 the bank will have actually decreased from \$15,000.00 to
20 around \$7,000.00 or so.

21 THE COURT: Have there been discussions to
22 amicably resolve that sum of cash, the bank's right to it?

23 MR. ROSENCRANCE: We have not had discussions on
24 that, Your Honor.

25 THE COURT: Understood.

1 And I want to also hear from Mr. Blickenstaff if he
2 wishes to offer any comments on any of the pending matters.

3 MR. BLICKENSTAFF: No, Your Honor. I think the
4 summary from Ms. Robeson was accurate. The trustee is ready
5 to move forward with the liquidation of both the 4-H
6 property and the additional real properties, according to
7 the coordination agreement that was filed with the Court,
8 and that the Court's reviewed. We have a realtor that we
9 have selected and we're prepared to move forward with her
10 and list this property in order to get this property sold
11 and bring the assets into the estate.

12 THE COURT: Thank you.

13 Mr. Jessup, I'll be pleased to hear anything that you
14 would like to address the Court with regarding these
15 matters. I would just ask you to pull that microphone as
16 close as possible. If it's easier for you, you may remove
17 your mask.

18 MR. JESSUP: Thank you, Your Honor.

19 As I said, I'm Natalie Cochran's father, Larry Jessup,
20 and I'm here to request permission from the Court to have
21 the opportunity to purchase --

22 THE COURT: If you could avoid resting the paper
23 on the microphone, it interferes with it.

24 MR. JESSUP: Okay.

25 THE COURT: There you go. Thank you.

1 MR. JESSUP: And I'm here today to request
2 permission from the Court to have the opportunity to
3 purchase the property located at 433 4-H Lake Road in
4 Daniels before the property is put up for general sale.

5 Mr. and Mrs. Cochran purchased the property in 2006 and
6 Mike and I spent about ten months renovating the property so
7 it would be liveable. And then, of course, my daughter was
8 arrested in September of 2019. She was placed on home
9 incarceration and I was to be responsible for her. So, my
10 wife and I sold our home and we moved into the home at --
11 with our daughter and two grandchildren.

12 Later, she was put on home confinement. We continued
13 to live in the house. And then, when she was incarcerated
14 at Hazelton, we became the legal guardians of the two
15 grandchildren, and this is the only home that these two
16 children have ever known.

17 The house was included in the bankruptcy and seized and
18 I then, after it was seized within the bankruptcy, I made
19 four house payments through Attorney Robert Dunlap. He
20 wrote a check to First Community on November the 1st of 2019
21 for \$5,920.00 and he sent this to the attention of Heather
22 Gonzalez.

23 And then, Mr. Rosencrance sent an e-mail to Mr. Dunlap
24 stating that he was questioning receiving the money from a
25 non-borrower, which I would be a non-borrower. So, we made

1 no further payments after that.

2 I talked to the bank in July of 2021. I talked to Ms.
3 Burrows at our local bank and then she referred me to
4 Heather Gonzalez, or she talked to Heather Gonzalez. They
5 said they would be willing to try to work with me to
6 purchase the house if the government -- after the government
7 made their recommendations.

8 And so, I sent an offer to the bankruptcy court for --
9 to buy the house for \$315,000.00 and the property was listed
10 on the Government Asset Report for \$302,600.00.

11 Again, this is the only home my grandchildren have ever
12 known and I would like to ask if it's possible for me to
13 arrange to purchase the house, I would like to do that, but
14 if I cannot do that, could the house -- I'd like to ask that
15 the postponement of the house sale be postponed for three
16 and a half years until the children graduate from high
17 school. That way, we would be able to remain in the house.

18 I would be willing to pay rent on the house to cover
19 the interest, and the property taxes, and the insurance that
20 the bank would incur expenses for. I'd also agree for the
21 bank to have access to come and check the house to make sure
22 I was maintaining it in proper order.

23 And if neither of these options are possible, I'd
24 request that we may be able to stay in the house until
25 possibly June of this year before it's sold so the kids can

1 finish the year in school.

2 And I appreciate your considering my request. Thank
3 you.

4 THE COURT: Thank you very much.

5 And does that cover all of your questions and comments,
6 Mr. Jessup?

7 MR. JESSUP: Yes. I didn't realize that the car
8 and the other \$15,000.00 would be discussed today, but I'm
9 prepared to talk about that, if we need to do that.

10 THE COURT: If you would, please let me know what
11 your position is on those matters.

12 MR. JESSUP: Okay. If you could just give me a
13 moment to get another letter that --

14 THE COURT: Yes, sir.

15 MR. JESSUP: Yes. In a letter dated to Your Honor
16 on September the 12th, I will read a couple of paragraphs.
17 I'm submitting this letter in response to the opposition to
18 Mr. Jessup's petition submitted to the Court by Ms. Robeson.
19 First, I would like to address my interest in the 1965
20 Shelby Cobra. In addition to the documentation already
21 submitted to the Court, I'm sending a copy of the title --

22 COURT REPORTER: I'm sorry, sir. Could you slow
23 down just a little for me, please?

24 MR. JESSUP: I'm sorry.

25 COURT REPORTER: That's okay.

1 THE COURT: If you can just read it more slowly,
2 Mr. Jessup.

3 MR. JESSUP: Okay.

4 First, I would like to address my interest in the 1965
5 Shelby Cobra. In addition to the documentation already
6 submitted to the Court, I'm sending a copy of the title
7 returned to me by the bank when I paid off the loan on the
8 car showing release of the loan and I have attached a copy
9 of the title.

10 Secondly, I would like to clarify the loan on the
11 Denali pickup truck. The loan was for \$15,375.00. The bank
12 received the money from the man who purchased the truck and
13 did not immediately apply the proceeds to pay off the loan.
14 In between receiving the payment and applying it to the loan
15 the government seized the money as part of Ms. Cochran's
16 bank account.

17 The loan is still outstanding. As of today, the bank
18 has not charged me any interest on the loan. However, I
19 checked my bank and discovered that a \$7,500.00 payment had
20 been made on the loan reducing the balance to \$7,875.00. I
21 don't know where the payment came from, but assume that the
22 government made the payment.

23 Again, the loan for the \$15,000.00, I did sign for
24 that. It was for that truck. And it was also included in
25 the -- I guess the restitution agreement to pay back the

1 victims and it was listed in that as to be paid back.

2 So, again, the -- my bank, when I go on-line, it's
3 still showing I owe \$7,875.00. Thank you.

4 THE COURT: Let me ask you, Mr. Jessup, are you
5 now the title holder of the Shelby or is it still in Ms.
6 Cochran's name?

7 MR. JESSUP: It's still in Ms. Cochran's name. I
8 just have a copy of the title where the bank released it.

9 THE COURT: I see. But it was your funds that
10 paid the debt on that, I take it?

11 MR. ROSENCRANCE: Yes, sir.

12 THE WITNESS: Yes, sir.

13 THE COURT: Did you do that by check?

14 MR. JESSUP: Yes, sir.

15 THE COURT: And did you reflect anything on the
16 check that it was to pay off on the obligation or anything
17 of that sort?

18 MR. JESSUP: Not that I'm aware of.

19 THE COURT: Understood.

20 Did you have any communications with the bank about the
21 fact that you were paying that off personally on behalf of
22 your daughter?

23 MR. JESSUP: Well, it was in my name and, of
24 course, my daughter signed, also, but I was the primary
25 borrower on that. And then, I talked to my bank and told

1 them I wanted to pay it off and, of course, I paid it off.

2 THE COURT: Well, let's unpack that statement.

3 Your daughter holds title on the car, correct?

4 MR. JESSUP: Yes, sir. The title is in her name
5 and my -- and I think also my son-in-law's name. Mike was
6 also on there, I think. I don't have it with me, so --

7 THE COURT: Okay. But you had mentioned something
8 about your name was on the title or something?

9 MR. JESSUP: No. No, sir.

10 Just a minute. Maybe I -- I had the title attached to
11 this letter, but I didn't -- yeah, here it is. Here's a
12 copy of the title that was sent back to me from the bank.
13 It's in the name of Natalie or Michael Cochran.

14 THE COURT: I see.

15 MR. JESSUP: And it was paid off the 20th day of
16 April, 2020.

17 THE COURT: Understood. So, that covers your
18 claim to the Cobra. Is there anything else that you wanted
19 to say in regards to the Cobra?

20 MR. JESSUP: No, sir.

21 THE COURT: And then let's talk about the bank
22 account. Is that in Ms. Cochran's name?

23 MR. JESSUP: Yes, sir.

24 THE COURT: Have you had any discussions with the
25 bank about that account?

1 MR. JESSUP: No, sir. Except when I first
2 borrowed the money and went back in to talk to them, when I
3 paid off the Cobra, I asked them about the other -- the
4 other loan, but we did not settle on any kind of an
5 agreement to pay that off.

6 THE COURT: What was the reason that you paid off
7 the Cobra loan?

8 MR. JESSUP: Well, it was -- the Cobra loan was
9 for not only the Cobra, but it was for two vehicles of my
10 own that I ended up with to the bank. So, I paid it off on
11 all three vehicles.

12 THE COURT: I see. But you didn't own the Cobra.
13 Is there a particular reason why you would have paid it off?

14 MR. JESSUP: Well, it was in -- it was against my
15 credit.

16 THE COURT: I see.

17 MR. JESSUP: Yes, sir.

18 THE COURT: I see.

19 MR. JESSUP: And I had signed for it personally.

20 THE COURT: Was the -- I would be willing to hear
21 you now on the bank account, if you want to offer anything
22 on that question of Mr. Rosencrance. Go ahead.

23 MR. JESSUP: That was another loan that I took out
24 on the vehicle that belonged to Mr. Cochran, Mike. And my
25 daughter sold that vehicle. The man took the money to the

1 bank to pay off the vehicle and to get the title and, like I
2 said, my understanding is between the time that he took the
3 money to the bank and the time it was applied to this loan,
4 the government seized the bank account.

5 THE COURT: I see. Understood.

6 Is there anything else you would like to share with the
7 Court, Mr. Jessup?

8 MR. JESSUP: No, sir.

9 THE COURT: Thank you.

10 Mr. Rosencrance, what's the nature of the transaction
11 with the Shelby? Is Mr. Jessup listed as the borrower with
12 that as the collateral or how exactly did this sort out?

13 MR. ROSENCRANCE: Your Honor, I do not have
14 information as it relates to the Shelby. We claimed an
15 interest in the proceeds from the sale of the 2014 GMC. As
16 it relates to the Shelby, I do not have that information
17 available at this time.

18 THE COURT: Well, as far as the bank was concerned
19 what, if any, interest does Mr. Jessup hold in this bank
20 account or this vehicle?

21 MR. ROSENCRANCE: Your Honor, I was not aware that
22 he had an interest in the Shelby vehicle.

23 THE COURT: What about the bank account? I think
24 that's not in his name, but --

25 MR. ROSENCRANCE: So, yeah. I can provide some

1 context on that, Your Honor. So, at the time of the seizure
2 there was a bank account that was seized in the amount of
3 approximately \$44,000.00 and it contained proceeds from the
4 sale of the 2014 GMC Denali, which paid off that loan.

5 THE COURT: Just on the Denali?

6 MR. ROSENCRANCE: That's correct, Your Honor. And
7 it was quite clear there was a check that was designated to
8 pay it off and had the VIN number of the vehicle. And so,
9 there was an issue with the seizure because we still had the
10 title, but it had been seized. And so, the third party had
11 the vehicle, but the title had still not been released
12 because the government had seized -- had seized the funds
13 and the bank did not have access to them. So, we had an
14 issue on that end.

15 And eventually what had happened was the third party
16 had issued an additional payment to the bank to release the
17 title to the third party, which was sold prior to the
18 foreclosure -- prior to the seizure, excuse me.

19 THE COURT: Understood.

20 I'm going to go back to Ms. Robeson now and ask if you
21 wish to respond to any comments made by Mr. Jessup or by Mr.
22 Rosencrance?

23 MS. ROBESON: Yes, Your Honor. Your Honor, I
24 think -- I don't know if this point got across to the Court,
25 but it is my understanding that the loan that was taken out

1 by First Community Bank, the cars were put up -- the loan
2 was not for the car in particular, just to make that point
3 clear to the Court.

4 THE COURT: So, it was not collateralized as a
5 signature loan?

6 MS. ROBESON: Your Honor, I apologize. I do not
7 have the answer to that question at this time, but I can
8 provide it to the Court after this hearing. I -- I believe
9 it was a loan for \$15,000.00 and I believe that they listed
10 the cars as -- I guess that would be collateral, but I -- I
11 do not remember. I'm sorry, Your Honor.

12 THE COURT: Okay. Please proceed.

13 MS. ROBESON: Okay. And also, as to the sale of
14 the house, Your Honor, when this agreement was originally
15 discussed I did not think I had the authority to agree to
16 such since this sale had been listed in the Preliminary
17 Order of Forfeiture.

18 And, also, to have a private sale with Mr. Jessup I
19 thought is against the interest of my client and also the
20 many victims in this case as this property -- it's well
21 known the real estate market is doing very well right now
22 and the property most likely would fetch a much higher price
23 on the real estate market.

24 Mr. Jessup still has the opportunity to bid on the
25 property if he wishes and if he can beat out anyone else,

1 but we are very opposed to some sort of private sale.
2 That's -- it just goes against the interest of justice and I
3 don't think there is a mechanism in the law for such a sale
4 on the forfeiture side.

5 THE COURT: Anything else?

6 MS. ROBESON: No, Your Honor.

7 THE COURT: Ms. Robeson, one other thing that is
8 concerning a little bit. And Mr. Blickenstaff may be able
9 to add some insight on this, as well.

10 But Ms. Cochran filed a Chapter 7 proceeding, is that
11 it, Mr. Blickenstaff?

12 MR. BLICKENSTAFF: That's correct, Your Honor.
13 She filed a Chapter 7.

14 THE COURT: Okay. And then I take it sometime
15 after that there was a plea agreement with the government?

16 MS. ROBESON: That is correct, Your Honor.

17 THE COURT: And she agreed to give up her interest
18 in these assets that we've been talking about this morning;
19 is that correct?

20 MS. ROBESON: Yes, Your Honor.

21 THE COURT: What, if any, input did your client,
22 Mr. Blickenstaff, have in that? In other words, was Ms.
23 Cochran simply giving up whatever right, title and interest
24 she had or was it agreed between the trustee and the United
25 States that her passing of that title was effective? Fill

1 me on on that area, either of the two of you.

2 MS. ROBESON: Yes, Your Honor. And Mr.
3 Blickenstaff can certainly correct me if I misspeak, but
4 during plea negotiations we did not include the trustee.
5 The plea negotiations with her agreement to forfeiture was
6 simply between the United States and Ms. Cochran and her
7 attorney.

8 Afterwards, when this forfeiture action started, that
9 is when the United States started communicating with the
10 trustee and we entered into the coordination agreement.

11 THE COURT: I see. Was there any stay violation
12 committed? I don't have all the exceptions under 362
13 committed to memory, but --

14 MS. ROBESON: I -- I'm sorry to cut you off, Your
15 Honor. I do not believe so because our forfeiture -- I
16 think -- I do not believe so but, hopefully, Mr.
17 Blickenstaff provide a more insightful answer than I just
18 did to that.

19 THE COURT: Thank you.

20 MR. BLICKENSTAFF: Your Honor, I think it was the
21 trustee's position, at least as far as the stay violation is
22 concerned, is that it's under one of the exceptions under
23 362. So, it was not an issue.

24 I think that regarding what Ms. Cochran gave up, she
25 certainly gave up any interest that she may have had. I

1 think the trustee's position was that the estate had an
2 interest in this real estate because of the negotiations
3 between the trustee and the U. S. Attorney's Office and the
4 eventual coordination agreement that we've presented to the
5 Court. We never really broached that issue as far as who
6 actually has title and interest to this property.

7 So, by the coordination agreement itself, I believe
8 that what we've agreed upon is this, as far as the real
9 estate is concerned, is that the state facility interest, as
10 the owner, the trustee will be authorized to sell that under
11 a 363 sale basically that with the -- in coordination with
12 the U. S. Attorney's Office, but basically with their
13 consent, I guess, I believe, to sell that property, as if
14 the trustee as representative for the estate is the owner of
15 that property.

16 The issue with the purchase price, and the Court is
17 probably aware of that, is that the trustee plans to market
18 the property, put it up onto the open market, and when it is
19 put out on the open market, if a buyer would present
20 themselves, the trustee would file a motion to sell which,
21 consistent with 363, would allow the option for upset
22 bidders to make an upset bid on any sale price, as far as
23 that's concerned.

24 THE COURT: I do remember that procedure.

25 MR. BLICKENSTAFF: So, that is the trustee's

1 position. We do agree with the U. S. Attorney's Office in
2 that we think that the value of the property is in excess of
3 what Mr. Jessup's original offer was. We also have
4 experienced, as well, that the real estate market is much
5 more lively and hot right now, as far as that's concerned.
6 Based on our experience we've seen some, frankly, unusual
7 prices, as far as sale prices, that we don't usually
8 experience here in West Virginia.

9 So, but the Jessup -- Mr. Jessup would have the
10 opportunity. He's not barred from participating in that
11 process if the trustee were to find a buyer. And if there
12 are people that would make a bid acceptable to the trustee
13 based on his assessment and business judgment, either way,
14 he can make an offer straight up through the realtor or he
15 can participate in the process, make an upset bid, if
16 necessary, if that's what he wants to do.

17 THE COURT: Thank you.

18 There is one thing that's troubling me that hopefully
19 counsel can shed some light on. I take it, at one point, at
20 least, that the 4-H property had both Mrs. Cochran and her
21 deceased husband on the title; is that the case?

22 MS. ROBESON: Yes, Your Honor. I believe that is
23 correct.

24 THE COURT: So, did -- when Mr. Cochran passed did
25 this process -- I don't know the nature of the deed, if it

1 was joint with right of survivorship in common or what it
2 was, but are we certain that Mr. Cochran's estate doesn't
3 have an interest remaining in this property?

4 MS. ROBESON: No, Your Honor, I am not certain
5 that his estate does not have an interest in the property.

6 THE COURT: Say that again.

7 MS. ROBESON: No, Your Honor, I do not know that
8 answer at this time.

9 THE COURT: I see.

10 See, there's a --

11 Mr. Blickenstaff, do you wish to address the matter?

12 MR. BLICKENSTAFF: Your Honor, unfortunately, I'm
13 in the same position as the U. S. Attorney's Office in that
14 I cannot say definitively whether or not Mrs. Cochran's
15 deceased spouse, his estate, would have an interest. I just
16 don't have a copy of that.

17 THE COURT: And the other wrinkle that has been
18 added recently here, of course, is the indictment of Ms.
19 Cochran in state court. And something that occurred to me
20 is whether there is a prohibition in state law, as there is
21 in some state laws, respecting her ability to even receive
22 his share of the property through the estate process if she
23 is ultimately adjudicated to have been involved in his
24 demise.

25 And I am perfectly happy to grant whatever relief the

1 parties are entitled to, but this issue of her ownership of
2 the property and how this recent state criminal indictment
3 affects whatever she purported to take is something that,
4 frankly, gives rise to concerns on the Court's part.

5 Are you prepared at this time to address that, Ms.
6 Robeson?

7 MS. ROBESON: No, Your Honor, I am not prepared to
8 address that at this time, but I am happy to provide
9 whatever briefing after this hearing that the Court would
10 like so that you may have an informed position from the
11 government.

12 THE COURT: Understood.

13 Mr. Blickenstaff, do you wish to comment?

14 MR. BLICKENSTAFF: No, Your Honor. I think that
15 we would also be in the same position. We would be happy to
16 investigate that matter and to brief it accordingly.

17 THE COURT: Thank you.

18 Mr. Rosencrance?

19 MR. ROSENCRANCE: Your Honor, I would concur. I
20 would -- I would also add that if that's the route the Court
21 is inclined to take I'm more than happy to provide some
22 context on the Shelby vehicle and the loans, as I was unable
23 to provide that information today.

24 THE COURT: Understood.

25 Well, I think we're at a little bit of a stopping point

1 here today given the outstanding questions that the Court
2 will need to receive further briefing on.

3 Mr. Jessup, do you intend to continue to represent
4 yourself throughout these proceedings?

5 MR. JESSUP: Yes, Your Honor.

6 THE COURT: Very well. This is a very -- may very
7 well be a very complex matter that you or even the victim
8 community may wish to be heard on through legal counsel, or
9 otherwise, but anyone who is gathered here from the witness
10 community who would like to speak, I will give you an
11 opportunity to do so now, if you wish, and I would encourage
12 all concerned to retain legal counsel, or at least consider
13 doing so, if you have not already considered it.

14 Is there anything in closing you would like to say, Mr.
15 Jessup?

16 MR. JESSUP: No, sir.

17 THE COURT: Thank you.

18 I see some individuals at the back of the courtroom.
19 Do either of you wish to be heard today?

20 MS. BOLT: If the government would be okay with me
21 speaking.

22 MS. ROBESON: Yes, ma'am.

23 THE COURT: What I'm going to ask you to do is
24 please come forward and you can speak here at one of the
25 government microphones, if they can make that available to

1 you. Or, better yet -- yes, that may be better.

2 So, if you would come forward.

3 Actually, I'm going to ask the the courtroom deputy to
4 have the microphone at the podium turned around so that
5 you'll be able to speak into that.

6 If you could please state your full name for the
7 record.

8 MS. BOLT: May I take my mask off?

9 THE COURT: Certainly.

10 MS. BOLT: My name is Donna Bolt. I am Michael
11 Cochran's mother.

12 Good afternoon, Judge Volk. I am the mother of Michael
13 Brandon Cochran who died suddenly on February 11th, 2019.

14 We, the victims of Natalie Paige Cochran's Ponzi
15 scheme, deserve and are entitled to restitution. We are
16 completely dependent and relying on the Department of
17 Justice and the U. S. Attorney's Office to seize any and all
18 assets and to sell these assets at fair market value to
19 recoup the funds and to aid in reducing the victims'
20 financial losses. We are Natalie Cochran's mother- and
21 father-in-law and she stole \$245,360.60 from us.

22 We are concerned that Larry Jessup feels he is entitled
23 to stay in this home and even purchase the home at 433 4-H
24 Lake Road in Daniels. Larry Jessup even stated on record
25 that he wrote you a letter on August the 28th of 2021

1 requesting to stay in the home because of the grandchildren
2 and offering to purchase this home for \$315,000.00.

3 Although [REDACTED] and [REDACTED] won't contact us or speak to us
4 since Michael died, they are our grandchildren, too, and we
5 love them very much. They are also Michael's grandchildren
6 [sic] and no one can change that.

7 If Larry Jessup says he has a claim on this home as
8 Natalie's parents, then we, as Michael Brandon's parents,
9 have a claim, as well, on this home and we want to purchase
10 it for \$320,000.00.

11 Larry Jessup is using the excuse that he sold his home
12 at 1406 Old Crow Road in Beaver to move into the 4-H Lake
13 home with Natalie as her guardian after Natalie was indicted
14 and arrested in September of 2019 for the Ponzi scheme.
15 Natalie Cochran was placed on home confinement until her
16 trial date, which finally happened in March of 2021, at
17 which time she was ordered to serve eleven years and
18 three months in federal prison.

19 Larry Jessup did not have to sell his 23-acre home on
20 Old Crow Road; in fact, it was paid in full. Larry and
21 Daphne Jessup only lived about ten minutes from Michael's
22 house and Larry could continue to be Natalie's guardian or
23 the Jessups could have had Natalie to do home confinement at
24 their home. Natalie and the kids have moved in with Larry
25 and -- excuse me. Natalie and the kids could have moved in

1 with Larry and Daphne, as their home was a huge 5-6 bedroom,
2 3-4 bathroom home on 23 acres.

3 The home on 433 4-H Lake Road is all part of a
4 preplanned scheme of Natalie Cochran and her parents, Larry
5 and Daphne Jessup. Why else would the Jessups sell their
6 beautiful home, especially when their home is paid for?

7 Larry Jessup is using the grandchildren as an excuse to
8 stay in the Daniels home. Just a reminder, [REDACTED] and
9 [REDACTED] do not go to school in Raleigh County. They both
10 attend high school in Greenbrier County in Lewisburg, West
11 Virginia 50 miles away and they started going there after
12 their dad suddenly and unexpectedly died on February 11th of
13 2019. [REDACTED] is now in the eleventh grade and [REDACTED] is in
14 the ninth grade. The grandchildren will soon be graduating
15 high school and then be off to college, so [REDACTED] and [REDACTED]
16 won't be at home.

17 As of February the 10th of 2022, the Raleigh County
18 real estate tax website states that the 2018 and 2019 real
19 estate taxes on the property at 433 4-H Lake Road in Daniels
20 was suspended due to Natalie's filing bankruptcy in August
21 of 2019. That amount of real estate taxes totaling over
22 \$4,000.00 for both years just disappeared off the record.

23 The 2020 real estate tax on this property was paid by
24 someone on 10/25 of 2021. And the First Community Bank paid
25 around 267.00 in late fees for that year of 2020.

1 The 2021 real estate taxes have yet to be paid.
2 According to a March 26, 2021 request by the First Community
3 Bank attorney to the West Virginia Southern District
4 Bankruptcy Court requesting relief from the automatic stay
5 for the abandonment of real and personal property and to
6 allow First Community Bank to file a petition to recover
7 \$15,715.66 in seized funds. This attorney stated that there
8 has not been a mortgage payment made on 433 4-H Lake home in
9 Daniels since January of 2020. So, an outstanding mortgage
10 of around \$258,998.00, plus interest fees of around
11 \$15,850.26, and other charges and fees of \$5,436.20, for a
12 total of \$280,284.46 owed on this property as of March of
13 2021. The bank attorney was requesting the bankruptcy
14 relief of automatic stay so the bank could foreclose on the
15 property and the Jessups were going to purchase this home.
16 That was March of 2021. It is now February 11th, 2022.

17 This home on 4-H Lake Road was purchased by Michael and
18 Natalie for the purchase price of \$308,750.00. Michael did
19 a total remodel of this home, putting his blood, sweat and
20 tears into the remodeling of this home. He worked
21 diligently to make the home what it is today. This elegant
22 stately home on 4-H Lake Road in Daniels is worth well over
23 \$450,000.00 and it sits on 3.83 level acres.

24 After 2018, when Natalie's Ponzi scheme was in full
25 force, some of the improvements that were made to the home

1 -- new furniture, paint, new windows, an additional two-car
2 garage, central heat and air system, and beautiful white
3 vinyl fencing that completely surrounds the 3.83-acre
4 property -- these improvements were paid for using the
5 victims' stolen monies.

6 If Larry Jessup is requesting to purchase this 4-H Lake
7 home, then we and all of the victims should be able to
8 purchase this home, as well.

9 The First Community Bank attorney has also requested to
10 use the seized funds of \$44,935.01 in the checking account
11 ending in 6379 and listed under the name of Tactical
12 Solutions Group LLC, one of Natalie's fake businesses, to
13 pay off a \$15,715.66 truck title lien that Natalie Cochran
14 and Larry Jessup both signed on March 19th of 2019. Natalie
15 Cochran sold this 2014 GMC Denali truck to Motion Auto Sales
16 on June 23rd, 2019. She received the funds, but she never
17 gave the buyer the truck title because Natalie and her dad
18 Larry took out a lien on the truck title in March 19, 2019.
19 That \$44,935.01 belongs to the victims for restitution.
20 Larry Jessup should have to pay this \$15,715.66 loan since
21 his name was listed on the loan agreement and since Natalie
22 Cochran is now in federal prison at Hazelton FCI.

23 Larry and Daphne Jessup have been living in this home
24 rent free for almost three years. Larry Jessup has filed
25 claims, you know, for the following assets that were seized

1 by the government on June 25th of 2019: The Tactical
2 Solutions bank account, checking account, \$44,935.01, and
3 the 1965 Shelby Cobra replica, asset value of \$47,000.00.

4 Larry Jessup is not and never was a victim of financial
5 loss by his daughter's deceit and evil deeds. We were. He
6 does not have the right nor is he entitled to any of these
7 seized assets.

8 Judge Volk, the sole purpose of all these proceedings
9 and seizures of assets, including real properties, is to
10 recover monies that were stolen by Natalie Paige Cochran and
11 her fake government contracts. The number one priority here
12 is restitution for the victims.

13 And regarding the grandchildren, [REDACTED] and [REDACTED],
14 they will soon graduate from high school and be out of the
15 home on their own. They will be going off to college.
16 [REDACTED] and [REDACTED] are very strong, they've had to deal with
17 a lot in the last few years, and they will be just fine.

18 Today, February the 11th, 2022, is the three-year
19 anniversary of my son's death. This hearing regarding the
20 matter of Michael's home on 433 4-H Lake Road in Daniels is
21 being held today, on February 11th, 2022, on Michael's
22 three-year anniversary of his death for a reason. This is
23 all part of God's plan. The hearing on this matter has been
24 postponed and rescheduled a few times for one reason or
25 another, as God was giving Larry and Daphne Jessup several

1 opportunities to re-think the issue about claiming Michael's
2 home, giving the Jessups a chance to do the right thing
3 because, in their hearts, the Jessups know they have no
4 right or claim to this home. But I guess Larry Jessup
5 thinks he deserves this home. So, God is going to have the
6 final say on the third anniversary of Michael Brandon's
7 death.

8 This statement is in memory of my son, Michael Brandon
9 Cochran. Although Michael Brandon is not here and cannot
10 speak for himself, I am speaking on behalf of my son. I am
11 his voice.

12 Thank you.

13 THE COURT: Thank you very much.

14 I wondered if you would be willing to supply that
15 statement.

16 MS. BOLT: I have a copy for you, sir.

17 THE COURT: So, if you will give that to Ms.
18 Robeson, I would ask you to please file it on behalf of --

19 MR. SCHLES: I cannot -- I cannot hear well.

20 THE COURT: Is that any better, Mr. Schles?

21 MR. SCHLES: Yes, Your Honor.

22 THE COURT: Thank you.

23 What I was asking was whether the witness had the -- a
24 copy of the document she just read. I have asked her to
25 tender that, a copy of it, to Ms. Robeson, who will then

1 file it on the record.

2 And I would say, Mr. Jessup, that I will give you an
3 opportunity to respond to it in writing by, let's say, a
4 week. Would that give you enough time?

5 Thank you very much.

6 Thank you for your comments.

7 MS. BOLT: Yes, sir.

8 THE COURT: And just, again, please supply Ms.
9 Robeson a copy of that document.

10 Ms. Robeson, anything further?

11 MS. ROBESON: Yes, Your Honor. Since we are not
12 -- it seems that it may be sometime before our motion for an
13 interlocutory sale is ruled upon. The United States would
14 like to move for some provision to be made for rental
15 payments on the property for Mr. Jessup or some form of
16 adequate protection payments. I can put this request in a
17 motion, if the Court would like, just because property has
18 been depreciating rapidly.

19 We did the numbers before the hearing. Looking at the
20 last payoff date, which would have been in June of this past
21 summer, to today's payoff date, it has increased over
22 \$10,000.00, or more than \$10,000.00 is now due to the bank
23 for the unpaid payments on the mortgage amount and we would
24 like to prevent further depreciation of this asset as we
25 move forward.

1 THE COURT: I understand that the bank refused the
2 payments though that Mr. Jessup had attempted to make.

3 Mr. Rosencrance?

4 MR. ROSENCRANCE: Yes, Your Honor. We had some
5 concern at the beginning of the bankruptcy case receiving a
6 payment from a non-debtor. However, since then we have
7 tried to obtain a monthly payment from the Jessups and the
8 bank has still not received a payment since January of 2020.
9 So, the bank would request that payments be made during the
10 pendency of this Court's ruling.

11 THE COURT: What I would say is we have some
12 lingering ownership issues, as well, and --

13 MR. SCHLES: Your Honor --

14 THE COURT: Mr. Schles, if you could hold on for
15 one moment.

16 We have some lingering ownership issues, as well,
17 perhaps. The Court will set a briefing schedule for those.

18 Ms. Robeson, if you wish to have conversations with the
19 interested parties and come up with some even escrow amount
20 and you could present all of that to the Court and I'll see
21 whether it's authorized by law.

22 Mr. Schles, please proceed.

23 MR. SCHLES: Yes, Your Honor. In regards to your
24 question earlier, West Virginia Code 42-42(a) does bar a
25 person convicted as long as not deterring another person

1 from taking either from the estate or from insurance
2 proceeds and it states that essentially the person convicted
3 of -- or that the estate should be distributed as if the
4 convicted person was dead at the time of the distribution,
5 which I believe would be the grandchildren as the inheritors
6 of any interest Michael Cochran has in the property and it
7 may be appropriate to appoint a guardian ad litem to
8 represent the minor children's interests.

9 THE COURT: Those comments may be well taken, Mr.
10 Schles. That's something the Court will investigate
11 further.

12 MR. SCHLES: Thank you.

13 THE COURT: And, of course, any party may be heard
14 in writing on that point, as well.

15 I will be receiving your response, Mr. Jessup, by mail.
16 I thank you again for your comments here today.

17 Ms. Robeson, any final words?

18 MS. ROBESON: No, Your Honor.

19 THE COURT: Thank you.

20 Mr. Blickenstaff?

21 MR. BLICKENSTAFF: Just one, Your Honor. It
22 doesn't -- it's not definitive, but I did want to make the
23 Court aware of this, that regarding the ownership issue of
24 the property, having access to the Raleigh County Assessor's
25 Office, I was able to look up the -- at least as how the

1 assessor lists the property. It does seem to list Natalie
2 Paige Cochran as the sole owner. I believe that it is
3 necessary, though, to provide evidence of that to this Court
4 by way of a deed or something of that nature, but it may
5 appear that she may be the sole owner of that property on
6 4-H Lake Road.

7 THE COURT: At all times?

8 MR. BLICKENSTAFF: Yes.

9 THE COURT: Or was that by virtue of it passing to
10 her through the estate process?

11 MR. BLICKENSTAFF: No. It was sold to her on
12 April 26, 2006 from the Hollidays and conveyed to her
13 solely.

14 THE COURT: Well, this matter needs to be further
15 addressed to the Court in writing. I do appreciate that
16 earlier statement.

17 Mr. Rosencrance?

18 MR. ROSENCRANCE: Your Honor, the only thing I
19 would add is that both Natalie and Michael are on the deed
20 of trust. However, we all know that's not dispositive of
21 who owns the property, but we'll investigate further.

22 THE COURT: Understood.

23 Well, the Court will be entering a briefing order and if
24 today's hearing has excited any other thoughts or approaches
25 from any interested parties then those, of course, should be

1 presented in writing, as well, and we'll see where the
2 proceedings lead from here.

3 Anything further?

4 MS. ROBESON: No, Your Honor.

5 THE COURT: Mr. Jessup?

6 MR. JESSUP: One more point, please.

7 THE COURT: Yes.

8 MR. JESSUP: I did offer, when I made the offer
9 for the house of \$315,00.00, to start making payments of
10 rent of \$1,200.00 a month. Is that not correct, Mr.
11 Rosencrance?

12 MR. ROSENCRANCE: Your Honor, we have not received
13 any payments. I'm not sure if that offer was contingent
14 upon us accepting the sale of the property or not, but the
15 fact of the matter is the bank has not received a single
16 monthly payment since January of 2020.

17 THE COURT: Understood. And I understand Mr.
18 Jessup's position that he may have had conversations with
19 the bank officials to the contrary, but that is also
20 something that you can place in your response, if you would
21 like.

22 MR. JESSUP: One other thing that I will place in
23 my letter. My daughter called the court and wanted to be
24 here today to speak and they said there would be no victims
25 to be able to speak. So, I just wanted to make record of

1 that.

2 THE COURT: Ms. Cochran wished to speak, your
3 daughter?

4 MR. JESSUP: No. My daughter, Ms. Lowery, wanted
5 to speak.

6 THE COURT: I see. Understood.

7 Well, if there's nothing further, the Court will be in
8 recess.

9 I would ask all parties to please watch the docket
10 carefully for the Court's order. You may not be on the
11 distribution list, but you can still view it as a public
12 record on the Pacer system.

13 Thank you very much.

14 (Proceedings concluded at 1:18 p.m., February 11,
15 2022.)

16
17 CERTIFICATION:

18
19 I, Ayme A. Cochran, Official Court Reporter, certify
20 that the foregoing is a correct transcript from the record
21 of proceedings in the matter of United States of America v.
22 Natalie P. Cochran, et al., Criminal Action No.
23 5:19-cr-00247 and Civil Action No. 5:19-cv-00537, as
24 reported on February 11, 2022.
25

1 s/Ayme A. Cochran, RMR, CRR

March 16, 2022

2 Ayme A. Cochran, RMR, CRR

DATE

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Ayme A. Cochran, RMR, CRR (304) 347-3128